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Item 3 (a) of the provisional agenda*

ORGANIZATIONAL MATTERS: ADOPTION OF THE RULES OF PROCEDURE

Provisional rules of procedure

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PROVISIONAL RULES OF PROCEDURE

Chapter I

REPRESENTATION AND CREDENTIALS

Rule 1

Each State participating in the Conference shall be represented by an accredited representative. If more than one representative is appointed, one of them shall be designated as head of the delegation. Each delegation may also include such alternate representatives, advisers and experts as may be required.

Rule 2

The credentials of representatives, and the names of alternate representatives, advisers and experts shall be submitted to the Executive Secretary, if possible not later than 24 hours after the opening of the Conference. The credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs.

Rule 3

A Credentials Committee shall be appointed at the beginning of the Conference. It shall consist of five members who shall be appointed by the Conference on the proposal of the President. It shall examine the credentials of representatives and report without delay.

Rule 4

Pending a decision of the Conference regarding an objection to the participation of a delegation, the latter shall be entitled to participate provisionally in the Conference.

Chapter II

AGENDA

Rule 5

The provisional agenda drawn up by the Secretariat and communicated to the Governments invited to the Conference by the Secretary-General of the United Nations shall form the provisional agenda for the Conference. Any representative of a State participating in the Conference may propose any item for inclusion in the provisional agenda.

Chapter III

OFFICERS

Rule 6

The Conference shall elect a President, three Vice-Presidents, a Rapporteur and an Editor-in-Chief from among the representatives of the States participating in the Conference.

Rule 7

The President shall preside over the plenary meetings of the Conference. He shall not vote but may designate another member of his delegation to vote in his place.

Rule 8

If the President is absent from a meeting or any part thereof, a Vice-President designated by him shall preside. A Vice-President acting as President shall have the same powers and duties as the President.

Chapter IV

SECRETARIAT

Rule 9

The Executive Secretary of the Conference appointed by the Secretary-General of the United Nations shall act in that capacity in all meetings of the Conference. He may appoint a deputy to take his place at any meeting.

Rule 10

The Executive Secretary or his representative may at any meeting make either oral or written statements concerning any questions under consideration.

Rule 11

The Executive Secretary shall provide and direct such staff as is required by the Conference. He shall be responsible for making all necessary arrangements for meetings and generally shall perform all other work which the Conference may require.

Chapter V

CONDUCT OF BUSINESS

Rule 12

A majority of the representatives participating in the Conference shall constitute a quorum.

Rule 13

In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall declare the opening and closing of each plenary meeting of the Conference, shall direct the discussion at such meetings, accord the right to speak, put questions to the vote and announce decisions. He shall rule on points of order and, subject to these rules of procedure, shall have complete control over the proceedings.

Rule 14

The President may, in the course of the discussions, propose to the Conference the closure of the list of speakers or the closure of the debate. He may also propose the suspension of or the adjournment of the meeting or the adjournment of the debate on the item under discussion. He may also call a speaker to order if his remarks are not relevant to the matter under discussion.

Rule 15

The President, in the exercise of his functions, remains under the authority of the Conference.

Rule 16

During the discussion on any matter, a representative may at any time raise a point of order, and the point of order shall be immediately decided by the President in accordance with these rules of procedure. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote and the President's ruling shall stand unless overruled by a majority of representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Rule 17

During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. Any such motion shall have priority. In addition to the proposer of the motion, one representative shall be allowed to speak in favour of, and one representative against, the motion.

Rule 18

During the course of the debate, the President may announce the list of speakers and with the consent of the Conference declare the list closed. The President may, however, accord the right of reply to any representative if, in his opinion, a speech delivered after he has declared the list closed makes this desirable. When the debate on an item is concluded because there are no other speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure by the consent of the Conference.

Rule 19

A representative may at any time move the closure of the debate on the item under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the closure of debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote.

Rule 20

The Conference may limit the time allowed for each speaker.

Rule 21

Proposals and amendments shall normally be introduced in writing and handed to the Executive Secretary of the Conference, who shall circulate copies to the delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Conference unless copies of it have been circulated to all delegations not later that the day preceding the meeting. The President may, however, permit the discussion and consideration of amendments or motions as to procedure even though those amendments or motions have not been circulated or have only been circulated the same day.

Rule 22

A proposal or a motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been amended. A motion which has thus been withdrawn may be reintroduced by any representative.

Rule 23

When a proposal has been adopted or rejected, it may not be considered unless the Conference, by a two thirds majority of the representatives present and voting, so decides. Permission to speak on the motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

Chapter VI

VOTING

Rule 24

Each State represented at the Conference shall have one vote, and the decisions of the Conference shall be made by a majority of the representatives of States participating in the Conference present and voting.

Rule 25

For the purpose of these rules, the phrase "representatives present and voting" means representatives present and casting an affirmative or negative vote. Representatives who abstain from voting shall be considered as not voting.

Rule 26

The Conference shall normally vote by show of hands, but any representative may request a roll-call. A roll-call shall be taken in the English alphabetical order of the names of the delegations at the Conference, beginning with the delegation whose name is drawn by lot by the President.

Rule 27

After the President has announced the beginning of the vote, no representative shall interrupt the vote except on a point of order in connection with the actual conduct of the voting. Explanations of their votes by representatives may, however, be permitted by the President either before or after the voting. The President may limit the time to be allowed for such explanation.

Rule 28

Parts of a proposal shall be voted on separately if a representative requests that the proposal be divided. Those parts of the proposal which have been approved shall then be put to the vote as a whole; if all the operative parts of a proposal have been rejected the proposal shall be considered rejected as a whole.

Rule 29

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Conference shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on, until all the amendments have been put to the vote. When, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

Rule 30

If two or more proposals relate to the same question, the Conference shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The Conference may, after each vote on a proposal, decide whether to vote on the next proposal.

Rule 31

All elections shall be decided by secret ballot unless otherwise decided by the Conference.

Rule 32

1. If, when one person or one delegation is to be elected, no candidate obtains the required majority in the first ballot, a second ballot shall be

taken, which shall be restricted to the two candidates obtaining the largest number of votes. If, in the second ballot, the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among the candidates obtaining the second largest number of votes, a special ballot shall be held for the purpose of reducing the number of candidates to two. In the case of a tie among three or more candidates obtaining the largest number of votes, a second ballot shall be held; if a tie results among more than two candidates, the number shall be reduced to two by lot.

Rule 33

If a vote is equally divided upon matters other than elections, a second vote shall be taken after an adjournment of the meeting for 15 minutes. If this vote also results in equality, the proposal shall be regarded as rejected.

Chapter VII

OFFICIAL AND WORKING LANGUAGES

Rule 34

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages and English, French and Spanish shall be the working languages of the Conference.

Rule 35

Speeches made in an official language shall be interpreted into the other official languages of the Conference.

Rule 36

Any representative may make a speech in a language other than an official language of the Conference. In this case, he shall himself provide for interpretation into one of the official languages of the Conference.

Chapter VIII

RECORDS

Rule 37

1. There shall be neither verbatim nor summary records of meetings.

2. Sound recording of meetings of the Conference and of any committees shall be made and kept in accordance with the practice of the United Nations.

Chapter IX

PUBLICITY OF MEETINGS

Rule 38

The plenary meetings of the Conference and the meetings of its committees shall be held in public unless the body concerned decides that exceptional circumstances require that a particular meeting be held in private.

Chapter X

COMMITTEES

Rule 39

The Conference may establish such committees as may be necessary for the performance of its functions. Items relating to the same category of subjects shall be referred to the committee dealing with that category of subjects. Committees shall not introduce any item on their own initiative.

Rule 40

Each committee shall elect its own Chairman, Vice-Chairman and Rapporteur.

Rule 41

So far as they are applicable, the rules of procedure of the Conference shall apply to the proceedings of the committees. A committee may dispense with certain language interpretations.

Chapter XI

OTHER PARTICIPANTS AND OBSERVERS

Rule 42

Representatives designated by organizations that have received a standing invitation from the General Assembly to participate in the sessions and work of all international conferences convened under its auspices have the right to participate as observers, without the right to vote, in the deliberations of the Conference and its committees.

Rule 43

Representatives designated by national liberation movements invited to the Conference may participate as observers, without the right to vote, in the deliberations of the Conference and its committees on any matter of particular concern to those movements.

Rule 44

Representatives designated by the specialized agencies a/ may participate, without the right to vote, in the deliberations of the Conference and its committees on questions within the scope of their activities.

Rule 45

Representatives designated by other intergovernmental organizations invited to the Conference may participate as observers, without the right to vote, in the deliberations of the Conference and its committees on questions within the scope of their activities.

Rule 46

1. Non-governmental organizations invited to the Conference may designate representatives to sit as observers at public meetings of the Conference and its committees.

2. Upon the invitation of the presiding officer of the Conference body concerned, and subject to the approval of that body, such observers may make oral statements on questions in which they have special competence.

Rule 47

Written statements submitted by the designated representatives referred to in rules 42 to 46 shall be distributed by the Secretariat to all delegations in the quantities and in the languages in which the statements are made available to the Secretariat for distribution, provided that a statement submitted on behalf of a non-governmental organization is on a subject in which it has a special competence and is related to the work of the Conference.

Chapter XII

AMENDMENTS

Rule 48

These rules of procedures may be amended by a decision of the Conference.

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a/ For the purpose of these rules, the term "specialized" includes the International Atomic Energy Agency and the General Agreement on Tariffs and Trade.